

REMARKS

Reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1, 4-7, 10-17, and 26-30 are now pending in this application, with Claims 1, 10, 13, 15, and 28 being independent. Claims 1, 4-7, and 15-17 have been amended and Claims 26-30 are newly-presented herein. Claims 10-14 have been withdrawn from consideration by the Examiner.

The abstract was objected to for exceeding 150 words. The abstract has been amended herein to be within the word limit. Reconsideration and withdrawal of the objection to the abstract are requested.

The disclosure was objected to for not specifying a second embodiment in the Brief Description of the Drawings section. The second embodiment is described in detail beginning at page 15 of the specification. Nevertheless, paragraph [0020] has been amended at page 7 to clarify that Figure 6A and 6B relate to the second embodiment. Reconsideration and withdrawal in this objection are respectfully requested.

The disclosure was further objected for its description at paragraph [0029] that examples of the recording medium are an optical disk and a magnetic tape, without providing further description of operation with the optical disk throughout the specification. Although much of the detailed description focuses on the recording medium as being a magnetic tape, it is respectfully submitted that one of ordinary skill in the art could readily apply the invention to an

optical disk or other types of recording media. The claims should in no way be considered to be limited to recording on a magnetic tape. Reconsideration and withdrawal of this objection to the disclosure are also requested.

Claims 1-9 and 15-25 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement, and under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The Office Action suggest that embodying the described invention as a program or a software is not enabled by the specification, since no details of the components of the software embodiment are provided. It is respectfully submitted, however, that one of ordinary skill in the art, given the teachings of the specification, could readily make a software embodiment of the present invention. Applicant submits that although the claims are not intended to be limited solely to a software embodiment, they are sufficiently enabled for other embodiments as well as a software embodiment. Moreover, without conceding that propagation of a program code on carrier waves is non-statutory, the claims are also not intended to be limited to such an embodiment and are believed to be directed to statutory subject matter. Reconsideration of the § 112 and § 101 rejections are respectfully requested.

Claims 1-3, 7, 15, and 17 were rejected under 35 U.S.C. § 103, as being unpatentable over German Patent Publication DE 100 35 109 (Cho et al.) (corresponding to U.S. Patent No. 6,956,971). Claims 4-6 and 16 were rejected under § 103 as being unpatentable over Cho et al., in view Japanese Patent Application Publication No. 2000-050263 (Asada et al.). Claims 8, 9, 18-21, and 25 were rejected under § 103 as being unpatentable over Cho et al. in

view of U.S. Patent No. 5,712,947 (Oguro et al.). Claims 22-24 were rejected under § 103 as being unpatentable over Cho et al. in view of Oguro et al. and Asada et al. These rejections are respectfully traversed.

Since a still image is motionless, noise on such an image will be conspicuous as compared to a motion image, which is configured to change overtime. If the still image were to be encoded by using only intra-frame coding, when noise such as block noise occurs on the intra-frame coded data, such noise will remain on the displayed image. The quality of such an image cannot be considered to be high quality. With the present invention, however, when noise occurs in the intra-frame coded data included in the encoded still-image data, such as I-picture, the inter-frame coded data, which is the encoded coding error of the intra-frame encoded data, can be generated. Therefore, the amount of noise can be reduced.

Cho et al. is directed to extraction of a frame unit of still pictures from a moving picture. At column 6, lines 27-49 of the U.S. patent corresponding to Cho et al., it is described that a core part 300 has a quantizer that can quantize moving pictures and still pictures of one frame extracted from the moving pictures. A VLC 302 encodes the moving pictures or the still pictures. As described at column 7, lines 26-34, quantizing values for the moving pictures and the still pictures are selected and maintained by a user. As a result of the quantization, the still pictures can be forwarded in high quality.

However, Cho et al. does not disclose or suggest at least an encoding unit configured to encode still-image data quantized by a quantization unit, and generating encoded still image data that includes intra-frame coded data and inter-frame coded data, which is an

encoded coding error of the intra-frame coded data, as is recited in independent Claims 1, 15 and 28.

Thus, Cho et al. fails to disclose or suggest important features of the present invention recited in the independent claims.

The remaining citations have been reviewed, but are not believed to remedy the deficiencies of Cho et al., noted above with respect to the independent claims.

Thus, Claims 1, 15, and 28 are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejections are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 1, 15, and 28. Dependent Claims 4-7, 16, 17, 26, 27, 29, and 30 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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